

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS
LEGISLATIVE COMMITTEE**

**MINUTES
MEETING OF MAY 12, 2005**

At 6:08 p.m. Chairman Lee Panza called the meeting to order in the Fourth Floor Dining Room at the San Mateo Transit District Office.

Members Attending: Chairman Lee Panza, Deborah Gordon, Marc Hershman, Sue Lempert, Irene O'Connell, Joe Silva, Jim Vreeland, and Deborah Wilder.

Staff/ Guests Attending: Ross Nakasone (County Manager's Office), David Burruto (Speaker Pro Tem Leland Yee's Office), Richard Napier (C/CAG Executive Director), Walter Martone and Sandy Wong (C/CAG Staff), Rosalie O'Mahony (C/CAG Member), Ed Stewart (SamTrans), and Duane Bay.

1. Public comment on items not on the agenda.

None.

2. Minutes of the Meeting of April 14, 2004.

Motion: To approve the minutes of April 14, 2005 as presented. Lempert/Wilder, unanimous.

3. Update from C/CAG's Lobbyist in Sacramento (via conference call).

Wes Lujan reported:

ACA 13 – a bill to exempt stormwater pollution and flood prevention programs from the supermajority voting requirements under Proposition 213.

- There have been numerous meetings to try and sure up support for this Constitutional Amendment. The current strategy to ensure that the bill meets the needs of local jurisdictions and C/CAG is to get the stormwater pollution prevention program to be included as part of the definition of "water" for the purposes of Proposition 213.
- The business community has raised some concerns about the bill because they feel that it may create a wedge between them and the Howard Jarvis and Cal Tax Advocacy Groups. They stated a preference to make it a 2-year bill to allow more time to negotiate out the details. Wes feels that this may be a stalling tactic so that more opposition to the bill could be generated.
- Although the Governor's Office has verbally stated its support for the bill, nothing to date has been put in writing. Wes will continue to pressure for a firm commitment from the Administration as represented by the Department of Water Resources, that this bill is actually being sponsored by the Administration.

- The business community is also concerned about another flood control bill by Assemblyman Laird (AB 1665) that would put pressure on the State General Fund to generate revenues to maintain and improve flood control levees and other flood control facilities in the Central Valley and may create an assessment district to generate some of these revenues.
- It is very important that business support for this bill be generated. Wes will be contacting the California Home Builders Association to try and get its support. He suggested that C/CAG try to get local business associations and trade associations to also support the bill.

Diversion of Proposition 42 transportation funds –

- The Governor’s announcement that he intends to restore funding to Proposition 42 transportation programs was very well received. There is concern however that the anticipated revenue surplus that would fund these programs is overestimated. This is due to the fact that many businesses paid taxes up front and may now be due a refund.
- Senator Joe Dunn has gone on record as supporting the full funding for Proposition 42 programs.
- Other legislators appear to be waffling and saying that there may be other priorities for the State surplus revenues.

SB 521 Transit Villages – This bill would allow the use of tax increment financing by expanding the definition of “blight” for development projects within transit villages designated by local jurisdictions. It would also require “use by right” for projects within such villages. The Legislative Committee expressed concern that this bill could result in the preemption of local land use authority. It was decided that more information on the bill should be sought and no action should be taken until after the review of the bill by MTC.

SB 1024 Transportation Bond – This bill would authorize \$7.7 billion in new bonds for transportation projects throughout the State, including the completion of the Bay Bridge. Most Republicans and the Governor’s Office are saying that the bill is Dead on Arrival. However the bill includes funding for important projects throughout the State including the districts of a number of Republican legislators. The bill only needs two Republican votes to get out of the Senate. Wes feels that it still has a fighting chance.

4. Consideration of positions on various bills:

AB 1358: This bill requires that all schools, including Charter Schools, that are relocating within two miles of an airport runway, be reviewed by Caltrans for compliance with the Plan locally adopted by the Airport Land Use Commission

Motion: To recommend that the C/CAG Board take a “support” position on AB 1358. O’Connell/Hershman, unanimous.

SB 1059: This bill would allow the State Energy Resources Conservation and Development Commission to preempt local land use authority by designating

transmission corridors for the construction of high-voltage electric lines and requiring local jurisdictions to amend their General Plans to include the designated corridors.

Motion: To recommend that the C/CAG Board take an “oppose unless amended” position on SB 1059. The amendment should ensure that the actions of the State Commission are subsidiary to local General Plans. Lempert/O’Mahony, unanimous.

SB 521: This bill would allow the use of tax increment financing by expanding the definition of “blight” for development projects within transit villages designated by local jurisdictions. It would also require “use by right” for projects within such villages. The Legislative Committee expressed concern that this bill could result in the preemption of local land use authority. It was decided that more information on the bill should be sought and no action should be taken until after the review of the bill by MTC.

SB 1024 and SB 172: These two bills together address the funding shortfall for the construction of the new eastern span of the Bay Bridge. SB 1024 is a bond that not only funds the Bridge but also a number of transportation projects throughout the State. SB 172 establishes tight monitoring and management controls over the Bridge construction project and authorizes the MTC to increase the Bay Area Bridge tolls by one dollar to support the Bay Bridge project. During discussion it was pointed out that Bay Area bridge users should not be saddled with an additional toll unless it was part of an overall funding package to complete the Bay Bridge. Therefore the implementation of SB 172 should be linked to the passage of SB 1024.

Motion: To recommend that the C/CAG Board take a “support” position on SB 1024 and SB 172 and request that SB 172 only be implemented if the bonds under SB 1024 are also approved. O’Mahony/Gordon, unanimous.

AB 867: This bill would establish all mail election demonstration projects in seven counties including San Mateo County. After discussion, the Committee members decided that this matter should be discussed with their individual City Councils before a position is recommended to C/CAG.

5. Establish date and time for next meeting (June 9, 2005).

The next meeting was set for Thursday, June 9, 2005 at 5:30 p.m. in the Fourth Floor Veranda Room at the San Mateo County Transit District Office.

6. Other Items/Comments from Guests.

None.

7. Adjournment.

The meeting was adjourned at 6:54 p.m.